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Attorneys for Defendant  
GERALD ARMSTRONG

RECEIVED

AUG 06 1992

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CLERK'S OFFICE  
COURT OF APPEAL - SECOND DIST.  
RECEIVED

AUG - 3 1992

JOSEPH A. LANE

Clerk

COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION \_\_\_\_\_

CHURCH OF SCIENTOLOGY  
INTERNATIONAL, a California  
not-for-profit religious  
corporation;

Plaintiffs,

vs.

GERALD ARMSTRONG; DOES 1  
through 25, inclusive,

Defendants.

No. BC 052395

NOTICE OF PRIOR RELATED APPEAL  
DECLARATION OF FORD GREENE

TO: ALL INTERESTED PARTIES AND TO THEIR ATTORNEYS OF RECORD.

PLEASE TAKE NOTICE that Defendant and Appellant Gerald  
Armstrong hereby gives notice that WITH RESPECT to the instant  
appeal, there exists a prior related appeal. The prior related  
appeal is as follows: Church of Scientology v. Gerald Armstrong,  
Court of Appeal, Second District, Division Three (1991) Nos.  
B025920, B038975 reported at 232 Cal.App.3d 1060.

1 DATED: July 29, 1992

HUB LAW OFFICES

2  
3 By: 

FORD GREENE

4 Attorney for Defendant and  
Appellant

5 GERALD ARMSTRONG  
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1 FORD GREENE declares:

2 1. I am an attorney licensed to practice law in the Courts  
3 of the State of California and am the attorney of record for  
4 GERALD ARMSTRONG, appellant herein.

5 2. The instant appeal arises from the grant of an  
6 injunction by the Honorable Ronald M. Sohigian, Department 88, Los  
7 Angeles Superior Court, on May 28, 1992. Said injunction re-wrote  
8 and enforced certain provisions of a settlement agreement between  
9 Armstrong and the Scientology Organization. The settlement  
10 agreement required Armstrong not to testify against Scientology  
11 unless he was subpoenaed and to avoid the service of any subpoena  
12 which would compel him to testify.

13 3. In Church of Scientology v. Gerald Armstrong, Court of  
14 Appeal, Second District, Division Three (1991) Nos. B025920,  
15 B038975 reported at 232 Cal.App.3d 1060, this court stated:

16 Armstrong, who did not participate in the  
17 hearing on the motion below, has filed a brief  
18 claiming the record should be unsealed because  
19 the Church has failed to comply with the terms  
20 of its settlement agreement with him. His  
21 declarations to the latter effect are not  
22 properly before us on appeal, as they were not  
23 considered by the trial court. We therefore  
24 consider neither the meaning of the portions  
25 of the settlement agreement to which he refers  
26 nor the question whether the Church has  
27 complied therewith.

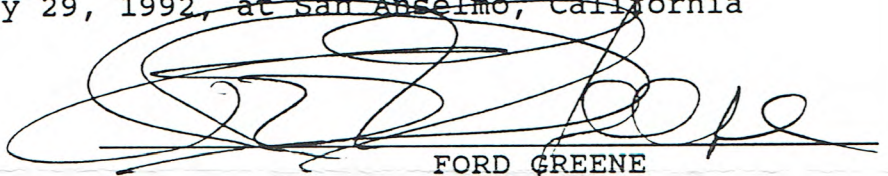
28 232 Cal.App.3d at 1070, fn. 5.

4. Now, Armstrong's declarations regarding the settlement  
agreement are properly before this Court,

5. In the interest of judicial economy, the herein appeal  
should be referred to the same appellate panel that is already  
familiar with the history of this case.

1 Under penalty of perjury pursuant to the laws of the State of  
2 California I hereby declare that the foregoing is true and correct  
3 according to my first-hand knowledge, except those matters stated  
4 to be on information and belief, and as to those matters, I  
5 believe them to be true.

6 Executed on July 29, 1992, at San Anselmo, California

7   
8 FORD GREENE



PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of eighteen years and am not a party to the above entitled action. My business address is 711 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents: NOTICE OF PRIOR RELATED APPEAL on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California:

Andrew H. Wilson  
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Los Angeles, California 90028

COUNTY CLERK  
Los Angeles Superior Court  
111 N. Hill Street  
Los Angeles, California

[X] (By Mail) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at San Anselmo, California.

[X] (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

DATED: July 21, 1992

